IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 64673-M of 2006

DATE OF DECISION : 05.12.2006

Pawan Joshi

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. K.K. Goel, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

Petitioner Pawan Joshi, apprehending his arrest in a non-bailable offence in case FIR No. 348 dated 10.6.2006 under Section 420 IPC, registered at Police Station Kotwali, Bathinda, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR.

Counsel for the petitioner contends that in this case, no offence under Section 420 IPC is made out, as if the petitioner has not paid the money of the business transaction, then the remedy of the complainant is to file civil suit and the same has been wrongly converted in the aforesaid FIR.

Counsel for the petitioner further states that in terms of the interim order dated October 19, 2006, the petitioner has joined the investigation. The State counsel, after having instructions from Jagir Singh ASI does not dispute this fact and he further states that the cancellation report has been submitted in the trial court on October 3, 2006.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated October 19, 2006, is made absolute.

Disposed of accordingly.

December 05, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**